

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA

V.

SAINT JOVITE YOUNGBLOOD

§
§
§
§
§
§

NO. A-23-CR-135 (RP)

SAINT JOVITE YOUNGBLOOD’S PROPOSED *VOIR DIRE*

Saint Jovite Youngblood respectfully submits this proposed *voir dire* pursuant to Rule 24(a)(2)(B) of the Federal Rules of Criminal Procedure and requests that the Court include the following additional questions in its examination of prospective jurors. In the event a prospective juror’s answers reveal that further questioning is appropriate, Mr. Youngblood respectfully requests that the Court pursue more detailed questioning to determine if the prospective juror is able to be fair and impartial in this particular case.

Additionally, because this case has garnered media attention locally, if a prospective juror has heard of or otherwise is familiar with any aspect of this case or the parties, Mr. Youngblood requests that the Court further question the prospective juror at side bar or in a private setting.

I. Experience with the Legal System

1. Are any of your family members or close friends attorneys?
2. Have you, or any member of your family or close friends, ever testified as a witness in a criminal or civil case? If yes, what was the case about?
3. Have you, or any member of your family or close friends, ever been employed by any prosecutor’s office, whether local, state or federal?
4. Do you think the fact that the federal government is a party here might affect the way you would think about this case and your ability to be fair and impartial?

5. Have you, or any member of your family or close friends, ever been involved in a lawsuit or dispute with the federal government or any federal agency?

II. Presumption of Innocence

6. This is a criminal case. Saint Jovite Youngblood has pleaded Not Guilty to the Indictment; he denies all the charges against him and asserts his innocence. I instruct you that the indictment in this case is not evidence or proof of anything. It simply notifies Saint Jovite Youngblood what he is charged with. Even knowing that, is there any member of the panel who feels that because Mr. Youngblood is in the courtroom today, he has done something wrong?

7. Under the law, if you are a juror, you must presume Mr. Youngblood innocent of all the charges. Is there any member of the panel who has disagreement with the law that requires you to presume Mr. Youngblood innocent throughout the course of this trial?

8. Is there anything about the nature of the charges or Saint Jovite Youngblood himself that makes it difficult for you to presume him to be innocent in this case? What is your thought about the fact that you must presume him innocent as he sits here today?

9. Is it possible that the Government could charge someone with such serious offenses and that person is Not Guilty? Does anyone feel that an innocent person would never be wrongly accused?

10. Do you feel that because Mr. Youngblood was charged by the government and is here on trial, he must have done something wrong or illegal? Do you think that the number of charges in the indictment means Mr. Youngblood must have done something wrong?

11. Do you think that because he sits here today accused of a criminal offense that means Mr. Youngblood is guilty or probably guilty?

12. Does anyone feel that Mr. Youngblood should be required to prove his innocence

of the charges against him?

13. Does anyone have a problem with the fact that the law makes it the government's obligation to prove each and every element of the offense charged beyond a reasonable doubt?

III. Judging the Credibility of Witnesses – Types of Witnesses

14. If someone comes to court and takes an oath, will you automatically believe that what a witness testifies to is true/fact?

15. Is it possible that a witness could testify and be mistaken about things they testify to?

16. Is it possible that a witness misremembers something?

17. Is it possible that a witness could be biased or have an improper motive that would influence their testimony?

18. Is it possible that a witness could come to court and lie?

19. Do you feel comfortable judging whether a witness is telling the truth or a lie, is mistaken or confused, or biased? How do you do that?

20. If you were selected as a juror in this trial, would you be inclined to view testimony given by a federal agent as being more credible than other witnesses just because of their position/employment?

21. Do you believe that the testimony of a federal agent should be given either greater or lesser weight than other types of witnesses?

22. Do you believe that if a federal agent says that something is true or a fact, it must be true, or at least likely true?

23. Would you hold the testimony of a federal law enforcement agent in higher regard?

24. Do any of you have close friends or family members who work for the FBI?

IV. Burden of Proof

25. I will instruct you that the law states that it is the government's burden or job to prove each charge, and each element to each charge, if it can, beyond a reasonable doubt. That burden never shifts to the defense. Mr. Youngblood and his lawyers are not required to disprove the case or present any evidence at all. Knowing that, will you still expect Mr. Youngblood to prove he is Not Guilty?

26. Each charge has a unique set of elements, each equally necessary to a verdict of guilty. You will be instructed that unless the government proves each element of the charge beyond a reasonable doubt you must return a verdict of not guilty. Would you be able to return a verdict of not guilty if you found proof to be lacking as to any one of the elements necessary to prove the charge, even though you were satisfied that the government had proven the other remaining elements.

27. If the Government does not present sufficient evidence to prove its case beyond a reasonable doubt as to each element, does it matter to you whether the defense presents any evidence?

28. What does Mr. Youngblood have to prove to you?

29. If the Government presented their case and you felt that something was missing, will you expect the defense to give that information to you?

30. Do you think someone accused of a crime should have to prove they are innocent?

V. Beyond A Reasonable Doubt

31. Beyond a reasonable doubt is the highest burden of proof that we have under the law. The level of proof in a criminal trial (such as this one) is much, much higher than the standard of proof in a civil trial because in a civil case only money is at issue. Do you understand that the

burden in a criminal case – beyond a reasonable doubt – is much higher because a person’s liberty is at stake?

32. Even though the law states that the Government must prove its case against Mr. Youngblood beyond a reasonable doubt before you ever can find him guilty, at the end of the day, if you think he probably did it, what will your verdict be?

33. If you believe that the defendant may have committed the crime he is charged with, yet the prosecution did not meet its burden of proving its case beyond a reasonable doubt, would follow your “gut” feeling as opposed to the law?

VI. Right to Remain Silent

34. Mr. Youngblood does not have to testify and you will be instructed that you cannot hold his choice not to testify against him as evidence of guilt. If you don’t hear from Mr. Youngblood in this trial, will that suggest to you that he may be hiding something or that he is guilty?

35. If Mr. Youngblood does not testify, will that factor into your ability to reach a verdict?

36. If Mr. Youngblood does not testify, will you hold it against him?

37. I will instruct you that if Mr. Youngblood does not testify, you cannot consider that when deciding this case. Can you do that?

VII. Subject Matter Questions

38. Have you, a family member, or close friend ever experienced financial distress or lost savings unexpectedly?

39. Have you, a family member, or a close friend ever paid money or given money and later found out you had been scammed?

40. Have you, a family member or a close friend ever been victims of cartel violence?

Do you regularly fear cartel violence where you reside or travel?

41. Do you have any significant feelings one way or the other about a case that involves fraud?

42. Have you ever been the victim of fraud?

43. Have you or your immediate family members or close friends ever worked for a bank? If yes, what was your job?

VIII. Knowledge of the Case or Parties

44. Do you personally, or do you have any family members or close friends who, know Saint (or Jaden or Kota or Kotajadenne) Youngblood?

45. Do you or your friends or family know any other members of the Youngblood family?

46. Without saying what it is, have you heard anything about Saint Jovite Youngblood that would influence how you view this case?

47. Have you heard anything about Saint Jovite Youngblood that would affect your ability to presume him innocent?

48. Do you feel that you may make certain assumptions about Saint Jovite Youngblood because of things you have heard about him?

49. Have you heard, read, or seen anything about this case?

a. What have you heard, read, or seen?

b. What was the source of the information?

50. Have you formed any opinions about the parties or the case based on anything you have heard, read, or seen?

51. Have you expressed those opinions to others?

52. Are you or anyone in your family members of any youth hockey association?

53. Are you or anyone in your family members of either the National Association of Watch & Clock Collectors or the Capital Area Watchmaker and Clockmaker Guild?

54. Have you or your family members or children ever gone to the multi-sports complex called The Crossover?

IX. Jury Service and Duties of Jurors

55. Do you know of any reason why you would be prejudiced for or against the United States or Mr. Youngblood that you have not been asked about?

56. Apart from any prior questions, do you have the slightest doubt in your mind, for any reason whatsoever, that you will be able to serve conscientiously, fairly, and impartially in this case and to render a true and just verdict without fear, favor, sympathy, or prejudice and according to the law as it will be explained?

57. If selected to participate as a juror, would you be able to reach a verdict based solely on the facts and documents in evidence and the law as the Court will instruct you?

Respectfully submitted,

MAUREEN SCOTT FRANCO
Federal Public Defender

/s/ CHARLOTTE A. HERRING
Assistant Federal Public Defender
Western District of Texas

Lavaca Plaza
504 Lavaca St., Ste. 960
Austin, Texas 78701
(512) 916-5025
(512) 916-5035 (FAX)
TX Bar Number: 24064026
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of April 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Dan Guess
Matt Harding
Assistant U.S. Attorneys
903 San Jacinto, Ste. 334
Austin, TX 78701

/s/ CHARLOTTE A. HERRING